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November 10, 2005

Mail Stop ISSUE FEE
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Re: **Application No.:** 10/760,016
 Confirmation No.: 8515
 Applicants: James Michael, et al.
 Filed: January 15, 2004
 Title: Apparatus For Dispensing Medical Items
 Art Unit: 3653
 Notice of Allowance Date: October 20, 2005
 Docket No.: D-1079 DIV3

Sir:

Please find enclosed the Issue Fee Transmittal form for filing in the above-referenced Application. Also enclosed are Comments on the Statement of Reasons for Allowance.

Very truly yours,

Ralph E. Jocke
Reg. No. 31,029

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that this document and the documents indicated as enclosed herewith are being deposited with the U.S. Postal Service as Express Mail Post Office to addressee in an envelope addressed to Mail-Stop ISSUE FEE, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 this 14th day of November 2005:

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D-1079 DIV3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
James Michael, et al.)	
)	
Application No.: 10/760,016)	Art Unit 3653
)	
Confirmation No.: 8515)	
)	
Filed: January 15, 2004)	Primary Examiner
)	Kenneth Noland
)	
Title: Apparatus For Dispensing)	
Medical Items)	

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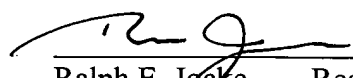
Sir:

In response to the Notice of Allowability dated October 20, 2005 kindly enter Applicants' comments without prejudice as follows:

Comments on the Statement of Reasons for Allowance

Applicants acknowledge the Office's admission that the pending claims are patentable over the references of record. Applicants respectfully submit that while the specific features and relationships mentioned in the statement of reasons for allowance are not disclosed or suggested in the prior art, these are not the only recited features and relationships which are not found in the prior art. Furthermore, the statement sometimes indicates a general paraphrasing of claim language, and not necessarily the exact claim language. The statement also refers to subject matter (or language) which is not recited in all of the claims. For example, claim 1 recites that it is a holder support location that is operative to support a medical item holder, instead of a medical holder as indicated in the statement. Similarly, claim 32 recites that it is indicia locations in an indicia row that corresponds to turns of a helix, instead of indicia alone as indicated in the statement. Also, Applicants respectfully disagree that claims 32, 33, 38, and 44 recite the same subject matter (or elements) of claim 1. It should be understood that the allowed subject matter is to only be limited by that subject matter which is specifically recited. Any remarks in the statement which narrow the recited subject matter should be disregarded.

Respectfully submitted,


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